

EXHIBIT R

Student: WYTAMA S. [REDACTED]

Birthdate: [REDACTED]

Meeting Date: 12-06-2021

Sturgis Public Schools
107 W West St, Sturgis, MI 49091
MANIFESTATION DETERMINATION REVIEW

Student Information

Student: [REDACTED]

Birthdate: [REDACTED]

Date of MDR: 12-06-2021**Participants**

The following individuals participated in this Manifestation Determination Review Meeting. Additional participants should be noted and attached to this form [34 CFR §300.344]:

[REDACTED]	JAMES LAMB (Principal)
<u>Parent/Guardian</u>	<u>District Representative (Public School Representative)</u>
HEATHER GEORGE (Assistant Principal)	AMBER PETERS (General Ed Teacher)
<u>MET Representative (Person able to explain the instructional implication of any evaluations)</u>	<u>General Education Teacher</u>
Stacey Richardson (Special Education Teacher)	Terisa Jones (Special Education Supervisor)
<u>Relevant IEP Team Member</u>	<u>ISD Admin Assistant</u>
Anne Gaertner (Advocate)	Jill Bissett (Behavior Interventionist)
<u>Community Advocate</u>	<u>Behavior Interventionist</u>

Procedural Safeguards

Procedural Safeguards were initially provided to the parent by:

Person: Heather George Date: 11-09-2021

Description of Misconduct

W [REDACTED] is seen on video attacking [REDACTED] on the sixth grade floor today. W [REDACTED] was down by a students locker and when the kid opened the locker, him was closing it. [REDACTED] told W [REDACTED] to stop doing that. W [REDACTED] then said to [REDACTED] that is why your dad left you. [REDACTED] then repeated the phrase but was imitating W [REDACTED]. W [REDACTED] is seen walking away from [REDACTED] on film but then decides to turn around. He runs into [REDACTED] pushing him and [REDACTED] attempts to resist. W [REDACTED] then throws him to the floor is on top of him punching him. [REDACTED] rolls into the fetal position at times to protect his face. W [REDACTED] continues to throw and land punches while [REDACTED] is on the ground.

Considerations for Review

In carrying out a manifestation determination review, the IEP team must consider, in terms of the behavior subject to disciplinary action, all relevant information, including:

Information for Review	Data Source/Date	Summary of Information
Teacher observation of student	Teacher Observation / 12-03-2021	[REDACTED] earned 3 strikes today again. He is trying to be sent out every day now so that he doesn't have to read. Mrs. R and I have made the deal with him that he may just listen even though the rule is that students should read along so that they can improve their reading skills. All he is being asked to

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		do is to listen and be quiet. He refuses. He started disrupting during the short video we were viewing. He was asked to be quiet, he began to argue, but did finally quiet down when Mrs. R said to stop, so no strike. Once the audio began to play, he started complaining, and wanted to go to Mrs. Bissett. Mrs. R told him to be quiet, all he need to do was listen. He was arguing so I gave him a strike and explained that he had been asked to be quiet by both of us. He disrupted again, so I said please stop so you don't earn a second. He said "Oooh, so scary," And continued on, so he did get a second. He became even more disruptive, so Mrs. R said he was leaving, but rather than going to Mrs. Bissett, he was going to her room and she would read to him. As he was leaving he announced how stupid this all was. Mrs. R agreed that this was a 3rd strike but we didn't want to give him an excuse to fight with Mrs. R to go to Mrs. Bissett's to avoid the book. Going to Mrs. Richardson's would count as the consequence for the 3rd strike. Note: I am very concerned. He hasn't even given the book a try. It is the lesson plan for the next three weeks, and all we ask is that he listen. We can't do this every day, but there is not a good substitue assignment. I am open to suggestions.
Relevant information provided by parent	Parent Input / 12-06-2021	Mom is concerned because he was given strikes in two classes in a row and that he should have had mom called to let her know. Mom said that his MET report states he has low socialization scores and that he struggles with his interactions with peers. Psych evals shows his GAF scores are very low. Per conversation with [REDACTED] on the day of the incident he was teased for his speech. Per conversation with [REDACTED] the student said the words [REDACTED] used while mocking [REDACTED] speech.
All relevant information in the student's file	Behavior Logs / 12-03-2021	[REDACTED] started out very well. He was pounding out the beat to "We Will Rock You" and I smiled at him. He stopped before I even had to say anything. He did no work, but for the most part wasn't too disruptive. He only had to be reminded a couple of times to quiet down, and he did. Closer to the end of class, [REDACTED] was swearing and was told that it was inappropriate. He argued a bit, and Seth asked him to just keep it clean. The swearing should have been strike one. He was not provoked, he was jsut talking asn swearing. Next, he would not let another cross behind him. The other student asked [REDACTED] to scoot forward so he could get through.

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		[REDACTED] refused, and when the other student tried to squeeze by, [REDACTED] started screaming out RAPE. I asked him to stop, Seth tried to explain that it was inappropriate, but he wouldn't and just continued to yell RAPE at the top of his lungs. He was sent to Mrs. Bissett."
The Student's IEP.	Current IEP / 12-03-2021	The current IEP is up to date.

Manifestation Determination

If the determination of the IEPT is "Yes" to any of the statements below, then the behavior must be considered a manifestation of the student's disability, and the student returns to the previous placement (except in Special Circumstances).

On the basis of the above review and the relationship of the behavior subject to discipline and the student's disability, respond to both of the following statements, and give the rationale for the response:

The conduct in question was caused by or had a direct and substantial relationship to the student's disability.	<input checked="" type="checkbox"/> No	No - Describe why there is no relationship between the disability and the behavior The incident was due to [REDACTED] shutting a locker of a student and other students engaging in dialogue that resulted in an act of aggression by [REDACTED]. The majority of the team agree that the behavior was not a result of the disability. N [REDACTED] (mom) found that the behavior was linked in part to his behavior and disability.
	<input type="checkbox"/> Yes	Yes - Describe why there is relationship between the disability and the behavior
The conduct in question was the direct result of the school district's failure to implement the current IEP.	<input type="checkbox"/> Yes	Yes - List the areas of non-implementation, the impact on behavior, and the steps to be taken to remedy areas of non-implementation.
	<input type="checkbox"/> No	No - List the areas of non-implementation. State why no impact
	<input checked="" type="checkbox"/> No	No - IEP was fully implemented The IEP was fully implemented

The determination of the IEP Team is that the behavior subject to discipline is:

- ☒ Not a manifestation of the disability; records are transferred to general education for disciplinary procedures.
- ☐ A manifestation of the disability.
- ☐ Review and modify, if necessary, current Behavior Intervention Plan. (Attached copy along with modifications)
- To be completed by: ___/___/___
- ☐ Complete Functional Behavior Assessment and Behavior Intervention Plan.

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To be completed by: __/__/____